

# GARDNERVILLE TOWN BOARD

## Minutes

**March 1, 2005**

- The meeting was called to order by Chairman Cook. The pledge was led by Jim Park.

**Present:**

Thomas J. Cook, Chairman  
Michael W. Philips, Sr.  
Randall P. Slater  
Jerry Smith  
Paul Lindsay

Michael S. Rowe, Town Counsel  
Jennifer Roman, JWA Consulting Engineers  
Jim Park, Town Manager  
Jeff Summers, Maintenance Foreman  
Carol Louthan, Secretary Sr.

GUESTS: A list of those present is included in the file of the March 1, 2005 meeting.

- Approval of the Agenda

**Motion Smith/Philips to approve the agenda as written. Motion carried unanimously.**

- Approval of Previous Minutes
  - February 1, 2005 Regular Board Meeting

**Motion Philips/Slater to accept the minutes of February 1, 2005. Motion carried unanimously.**

- February 17, 2005 Annual Planning Workshop

**Motion Slater/Lindsay to approve the minutes of the February 17, 2005 planning workshop. Motion carried unanimously.**

- Discuss Good News in Gardnerville

Mr. Cook spoke about the garage workshop on the 24<sup>th</sup> of February. There was a good crowd present. The County was present. Sharkey's was represented. It was very informative, a lot of good comments on the parking garage. They will be having a total of four planning sessions. It was very well attended.

- **Public Comment on Any Item Not on Tonight's Agenda-No Board Action**

Mimi Moss wanted to let everyone know about the fundraiser information for Douglas County Animal Shelter. A lot of participants providing free advice, free vet clinic, photography. It is Saturday, March 12<sup>th</sup> from 9:00 to 4:00 p.m. She will leave some information flyers.

## **CONSENT CALENDAR**

Consent items may be pulled at the request of Board Members wishing to have an item or items further discussed. When items are pulled for discussion, they will be automatically placed at beginning of the Administrative Agenda. All items shall include discussion and possible action.

- **Motion to approve consent calendar.**

## **TOWN DEPARTMENTS**

1. Accept Health and Sanitation Monthly Report  
**Accepted**
2. Accept Public Works Monthly Report  
**Accepted**
3. Accept Parks Department Monthly Report  
**Accepted**

## **CORRESPONDENCE**

4. Correspondence  
**Read and noted**

## **TOWN MANAGER**

5. Approve Claims for February 2005

**Approved**

6. Accept an update on legislative issues staff is monitoring

**Accepted**

7. Approve a Town special event application for the Comstock Civil War Re-enactors with conditions for the Second Annual "Civil War" reenactment weekend September 1 thru October 2, 2005 at Heritage Park, and waive the \$100 Town fee

**Approved**

**Motion Smith/Lindsay to approve the consent calendar. Motion carried unanimously.**

## **ADMINISTRATIVE AGENDA**

**IF ANY ITEMS WERE PULLED FROM THE CONSENT CALENDAR, THOSE ITEMS WILL BE HEARD AT THIS POINT**

### **APPOINTMENTS**

8. Discussion and possible action on DA 05-014, a design review to construct a 14,820 square foot Walgreen's Retail Pharmacy with drive-thru and 24-hour operation, 1346 and 1342 Highway 395 North, APN's 1220-04-501-007 and 1220-04-501-008

Mr. Park included a staff report in Board packets. The application was not deemed complete at the last design review. The applicant needs to make application for sewer and water service. Other than that the Board is able to hear the issue tonight. The project needs to be conditioned to have access adjustments with the other parcel on the left. They will have to work that out. There is an existing drainage conveyance. That will need to be perpetuated and piped and put in an easement. Water Conveyance needs to see it in terms of the runoff. Staff is recommending approval with staff conditions. Waterloo egress needs to be reconfigured. NDOT will review this.

Mr. Julio Sandoval, Silver State Consultants said he can speak to it but he is here for the other item.

Item tabled until applicant arrives.

9. Discussion and possible action on DA 05-016, a zoning map amendment to change the zoning designation from OC (Office Commercial) to NC (Neighborhood Commercial) zoning district for a 5.67 acre parcel within the Gardnerville Planning area, 1362 Highway 395 North, APN 1220-04-501-006

Mr. Julio Sandoval, Silver State Consultants advised their application is working somewhat hand in hand with the Walgreens site. The parcel is currently zoned office commercial. There will be a shared access with Walgreens on Waterloo, and each has a right-turn only onto Hwy 395. This is far from design review stage. The office and neighborhood commercial are very similar. Not knowing what the parcel will encompass they wanted the biggest template as possible. It looks very attractive for professional offices. As Walgreens moves along, there will be boundary line adjustments and easement language with regard to the accesses. This is only a request to find out whether a zone change is feasible and something the Boards are looking to approve or do they need to concentrate on just office commercial. It is very preliminary and very conceptual.

(John Krmpotic, Jeff Codega Planning Design, representing the applicant Bencor/Walgreens, joined the meeting at 4:40 p.m.)

Mr. Slater indicated when they come back for design review they will need to look at a sound barrier wall, and several other things.

Chairman Cook called for public comment.

**Motion Slater/Lindsay to recommend support of the proposal for the zoning change for this project from office commercial to neighborhood commercial. Motion carried unanimously.**

**Chairman Cook went back to item 8.**

8. Discussion and possible action on DA 05-014, a design review to construct a 14,820 square foot Walgreen's Retail Pharmacy with drive-thru and 24-hour operation, 1346 and 1342 Highway 395 North, APN's 1220-04-501-007 and 1220-04-501-008 (continued)

Mr. John Krmpotic, with Jeff Codega Planning Design representing applicant Bencor/Walgreens went over the project. He displayed some architectural drawings.

Mr. Slater pointed out they are doing community planning and if at all possible they would like to see the engineer and staff become involved in some sort of architectural agreement with the applicant.

Mrs. Roman thought more brick would help it match better with the Park Place development.

Mimi Moss, Douglas County Community Development advised Mr. Krmpotic to meet with Jim and her to go over the design.

Mr. Park indicated staff is recommending approval conditioned with some of Douglas County concerns: shared access, perpetuating the drainage, and complying with the general town improvement standards.

Board members agreed they would like to see a little more tie in with the surrounding buildings.

Mr. Cook asked it if would be possible for Walgreens and the parcel owner next door to look at one shared egress on the highway with a right hand turn? It would make it a lot simpler.

Mr. Krmpotic asked if there were any other concerns with the irrigation ditch? They will be piping it.

Mr. Slater asked if they have an agreement with the adjacent parcel owner for joint access onto Waterloo?

Mr. Krmpotic understands it to be that way. The agreement is not actually signed.

Mr. Park reiterated staff is recommending approval with the conditions of a lot line adjustments, dedicated easement to allow for maintenance of the pipe, all town general improvement standards and Jennifer's comments from February 23, 2005. The applicant knows they have to annex as well. The Board can direct Jennifer and himself to meet with Mimi and the applicant to look at architecture.

No public comment.

Mr. Krmpotic asked if there was a date in mind to get together.

Mrs. Moss asked to call and set up a meeting.

**Motion Smith/Slater to recommend approval with town conditions for DA 05-014, which is Walgreen's Retail Pharmacy, 1346, 1342 Hwy 395 North, APN 1220-04-501-007 and 1220-04-501-008 with three conditions as noted and Jennifer's conditions of notes on February 23, of 2005; this is neighborhood commercial and architectural review would be with Jennifer, Jim and the Douglas County staff. Motion carried unanimously.**

#### **TOWN ENGINEER**

10. Accept Town Engineer's monthly report of activities

Mrs. Roman believed they are pretty much complete with the 50% design submittal for Toiyabe sidewalks. They just received the survey information on the Overland sidewalk. They will be finishing up the items on Hwy 395 that will be part of the same sidewalk project. Still planning on going to bid in March and awarding at the April meeting and starting construction on 395 in April, then moving to Toiyabe in late April or May. The overlay is coming up summer/fall of 05.

#### **TOWN MAINTENANCE FOREMAN**

11. Accept Town Maintenance Foreman's monthly report of activities

Mr. Summers reported they had a prison crew cleaning up the ponds. 90 percent is cleaned up. The ponds have been dredged. They have and are continuing to work on the restroom at Heritage Park.

#### **TOWN ATTORNEY**

12. Accept Town Attorney Monthly Report of Activities

Mr. Rowe stated the second reading of Chapter 18.07 will be this Thursday and Jim will attend that. Jim and he both attended the first meeting. He received the change they had asked for at the last meeting this morning that incorporated

the Town's request. They should have a street cut ordinance finalized as of this Thursday in Chapter 18.07 of the Douglas County Code. After adoption, the ordinance will be in effect shortly thereafter.

13. Discussion and Possible action on Resolution 05-01, a Resolution adopting policy for sidewalks; authorizing the Town Manager and General Counsel to request Douglas County Commission to amend Chapter 18.06 or new Chapter 18.07; together with other matters properly relating thereto.

Mr. Rowe pointed out the resolution Board members have in packets is a draft resolution. Page 3, the indented language is the proposed policy. If they like the policy they would need to ask the County to amend 18.06 or add it to the new code section that was created for the street cut policy. If the Board passes the resolution, they would need to authorize he and Jim to work with the District Attorney on this.

No Public comment.

**Motion Lindsay/Smith to adopt Resolution 05-01, a Resolution adopting policy for sidewalks; authorizing the Town Manager and General Counsel to request Douglas County Commission to amend Chapter 18.06 or new Chapter 18.07 together with other matters properly relating thereto. Motion carried unanimously.**

Mr. Rowe will circulate this Resolution for Board members to sign, and request the DA add it to 18.06. It will probably be April, at the earliest, before it is heard by the County.

#### **TOWN MANAGER**

14. Accept Town Manager's monthly report of activities

Mr. Park included his report in Board packets. He met with Jeff Foltz on Toler striping. Jeff is more than likely going to do that work when the street is chip sealed. He does not anticipate it being an issue. They do have the trash truck bid ready to go. It does include an additional vehicle for the Town of Minden.

15. Discussion and possible action on the use of Heritage Park for community events, requested by resident Victoria Roberts

Mr. Park reviewed at the last Town Board meeting Ms. Roberts voiced her concerns over the selection of music and certain events at Heritage Park. At her request he placed this item on the agenda for discussion. She is not here tonight. It has been the Board's direction to staff that Heritage Park be used for community events, but not so many that the community can't use it. It has been staff's intention to look at 4, or 5 large events a year. Heritage Run 2 needs to be heard by the Douglas County Commission for an outdoor festival permit. That would be one of the events. Valley Cruisers have been talking with the Town. They are looking at an October event and maybe an event in May. The Civil War Weekend will be late September conditioned with Outdoor Festival permits being obtained from Douglas County. The re-enactors will work with the adjacent schools to do some living history. They have the Town Christmas event.

Mr. Philips sympathizes with Ms. Roberts but they need to look at the public good they can get out of the park.

Mr. Slater commented when Mrs. Roberts attended the last meeting he was set back. Ms. Roberts has to understand that park was built for the entire community, and they try to satisfy all needs and desires of the community. He strongly recommends keeping two weekends a year quiet.

Mr. Cook believed they have worked hard so there is no noise late at night.

Mr. Lindsay asked if they have any plans for the music in the park like last year.

Mr. Park advised staff is working on a few things they will bring to the Board. All the events they just went over will have music.

Mr. Philips asked staff to write a letter letting her know it was discussed.

Mr. Smith asked if they could construct a pad of concrete on the right and left of the stage small enough for people to dance.

Mr. Slater brought up the point they are having trouble with skateboarders.

Mr. Lindsay asked about a removable dance floor?

Mr. Summers indicated a removable floor would be similar to the stage they borrowed from the Parks Department.

16. Discussion and possible action on approving a revised professional service agreement for Town General Counsel and authorize the Town Board Chairman to sign

Mr. Park pointed out this item is coming from the annual planning meeting. In terms of General Counsel, he has prepared a professional services agreement adjusting his per hour rate.

No public comment.

**Motion Smith/Lindsay to approve and authorize the chairman to sign the legal service agreement. Motion carried unanimously.**

17. Discussion and possible action on Fiscal Year 2006 Tentative budget and budget direction

Mr. Park does not need any formal action on this item. The Board is aware they will see something happen at the State Legislature dealing with revenues. They are budgeting general fund at 6 percent and all the minor issues and direction have been accounted for in the spreadsheets hand out.

Mrs. Moss thought it could be as low as 4 or 5 percent.

Mr. Park will bring this back to the Board in April requesting formal action so they can meet the deadlines. Final numbers come out the 15<sup>th</sup> of March. Hopefully the Legislature will have enacted some course of action so local government across the state can make adequate preparations. If there are any changes, he will bring those back with the final budget.

Mr. Smith asked if drug/alcohol testing is required?

Mr. Park stated it was a federal requirement that safety sensitive positions be screened for alcohol use or abuse on a draw type of basis. He will plug a few hundred dollars there. All CDL drivers are subject.

Motion Slater/Philips to adjourn at 5:45 p.m. Motion carried unanimously.

Respectfully Submitted,

---

Thomas J. Cook  
Chairman

---

Jim Park  
Clerk to the Board